

**Opening Statement of the Honorable Fred Upton
Subcommittee on Oversight and Investigations
Hearing on "Security of HealthCare.gov"
November 19, 2013**

(As Prepared for Delivery)

For months, administration witnesses have come before this committee and assured us that implementation of the president's health care law was "on track," and that HealthCare.gov would be ready for the October 1 launch.

But why not give the straight story to the Congress and the public? On April 18, Secretary Sebelius testified in this very room, "we have the federal hub on track and on time. ... I can tell you we are on track." But we now know that the secretary's testimony did not match what was happening behind the scenes. Two weeks before she testified before this committee, Secretary Sebelius was present at an April 4 meeting where experts identified significant threats and risks to launching the site on October 1. The administration was on track – on track for disaster. But stubbornly, they stayed the course, repeating their claims that all was well and on track right up until the mess that launched October 1. Even after the launch, administration officials insisted volume was the primary culprit, when they knew otherwise.

But our oversight of the health law is not just about a website. It is about whether the public can trust and rely on this health care system that the administration has been building for over three years. The failures of this website have significant consequences for Americans. One important question is whether individuals will be able to enroll and obtain coverage by January 1. Security is another critical concern. How can the public trust a hastily thrown together system in which meeting a deadline was more important for the administration than conducting complete, end to end testing of the site's security?

Mr. Henry Chao, Deputy Chief Information Officer of CMS, is here to answer our questions about CMS' management of the federal exchange and the implications for security. Mr. Chao, I understand you are a career employee and have been at CMS for years. I am sure the last few months have not been easy for you. Last March, you were one of the first to publicly offer a glimpse of the true situation when you candidly remarked about the website, "Let's just make sure it's not a third-world experience." Documents produced to the committee paint a clearer picture that administration officials knew for months before October 1 about delays and problems with the website development. Mr. Chao, you have been responsible for managing the development of HealthCare.gov, but I imagine many matters were outside your control. Given the lack of end-to-end testing, I hope you can explain to us today why the administration felt confident in the security of HealthCare.gov when the system went live on October 1.

We are also joined by three companies that were awarded contracts by CMS to provide security services for the federal exchange. These companies – MITRE, CCSi, and Foreground - are here today to answer questions about their roles. I know the subject of security presents certain sensitivities and I am glad they made the decision to accept our invitations to testify and inform this committee about how HealthCare.gov works. One thing we have learned – there are countless contractors involved in building this website, and responsibilities are divided. It is a complex system. I would like to know how the delays and rushed implementation have affected or complicated your ability to perform the security work for the website.

###